

Joseph E. Walsh, Jr. (*admitted pro hac vice*)
jwalsh@hdp.com
Rudolph A. Telscher (*admitted pro hac vice*)
rtelscher@hdp.com
Douglas A. Robinson (*admitted pro hac vice*)
drobinson@hdp.com
HARNESS DICKEY & PIERCE, P.L.C.
7700 Bonhomme, Suite 400
St. Louis, MO 63105
Tel: (314) 726-7500; Fax: (314) 726-7501

Philip J. Wang, Bar No. 218349
phil@philwanglaw.com
The Law Office of Philip J. Wang
160 Bovet Road, Suite 310
San Mateo, CA 94402-3100
Tel: (650)521-9020

***Attorneys for Emerging Markets Communications,
Inc. and EMC Satcom Technologies, LLC***

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

APPLIED SIGNAL TECHNOLOGY, INC.

Plaintiff,

v.

EMERGING MARKETS
COMMUNICATIONS, INC., EMC
SATCOM TECHNOLOGIES, INC.,
PARADISE DATACOM, LLC, and
VIASAT, INC.,

Defendants.

Case No. 09-CV-02180-SBA

**JOINT STATUS REPORT ON
THE PROGRESS OF
SETTLEMENT BETWEEN
APPLIED SIGNAL
TECHNOLOGY, INC.,
COMTECH EF DATA CORP.,
EMERGING MARKETS
COMMUNICATIONS, INC., AND
EMC SATCOM
TECHNOLOGIES, INC. AND
REQUEST FOR EXTENSION OF
RELIEF FROM THE CASE
MANAGEMENT SCHEDULING
CONFERENCE ORDER**

1 Pursuant to the Court's order dated September 28, 2010 (Dkt. No. 172),
2 defendants Emerging Markets Communications, Inc., EMC Satcom Technologies,
3 Inc. (collectively "EMC"), plaintiff and counter-defendant, Applied Signal
4 Technology, Inc. ("AST"), and third-party defendant Comtech EF Data Corp.
5 ("Comtech"), submit this joint status report on the progress of settlement.

6 As previously reported to the Court, AST, Comtech, and EMC agreed at the
7 settlement conference before Magistrate Judge Zimmerman to settle their dispute.
8 The parties have exchanged written draft settlement license proposals and are in
9 general agreement on most license terms, though certain terms are still subject to
10 ongoing negotiation.

11 On September 22, 2010, the parties filed a Joint Status Report requesting
12 additional time to finalize their settlement to October 25, 2010. The Court granted
13 that extension on September 28. Since the last Joint Status Report, the parties have
14 continued to work diligently to finalize their license agreement, including through
15 exchange of additional draft settlement terms and conversations between the
16 parties' counsel, which has further narrowed the remaining issues. However, due
17 to a number of factors, including the many unusual and customized provisions
18 being negotiated, the parties continue to work diligently to finalize their agreement.
19 As such, the parties respectfully and jointly stipulate and request that the Court
20 extend its September 28, 2010 order granting relief from the Case Management
21 Order for a period of twenty eight (28) days from the existing date of October 25,
22 2010 to Monday, November 22, 2010. The parties will continue to work diligently
23 during this time to finalize their settlement license agreement, which the parties
24 continue to expect will result in the dismissal of the EMC entities from this
litigation.

1 Date: October 25, 2010

HARNESS, DICKEY & PIERCE, PLC

2
3 /s/ Rudolph A. Telscher

Rudolph A. Telscher

4 ATTORNEYS FOR DEFENDANTS

EMERGING MARKETS

5 COMMUNICATIONS, INC. and EMC

6 SATCOM TECHNOLOGIES, INC.

7 Date: October 25, 2010

SANDERS & PARKS P.C.

8
9 /s/ Rick N. Bryson

Rick N. Bryson

10 ATTORNEYS FOR PLAINTIFF/

COUNTER-DEFENDANT APPLIED

11 SIGNAL TECHNOLOGY AND THIRD-

PARTY DEFENDANT COMTECH EF

12 DATA CORP.

DECLARATION OF CONSENT

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Rick N. Bryson.

Date: October 25, 2010

HARNESS, DICKEY & PIERCE, PLC

/s/ Rudolph A. Telscher

Rudolph A. Telscher

ATTORNEYS FOR DEFENDANTS

EMERGING MARKETS

COMMUNICATIONS, INC. and EMC

SATCOM TECHNOLOGIES, INC.

ORDER

Pursuant to stipulation, it is hereby ordered that the Court's September 28, 2010 order (Dkt. No. 172) granting relief from the Case Management Conference Scheduling Order is extended 28 days from the existing date of October 25, 2010 to November 22. Plaintiff Applied Signal Technology, Inc. shall file a notice of dismissal, or a joint status report with EMC on the progress of settlement, by November 22, 2010.

Date: 10/27/10


SAUNDRA BROWN ARMSTRONG
JUDGE, UNITED STATES DISTRICT COURT